

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

United States of America,  
 Plaintiff(s),

vs.

Bill Sunga Modina, d/b/a 5M Financial and 6M  
 Financial,  
 Defendant(s).

2:14-cv-00474-JAD-MDC

**ORDER CAUTIONING DEFENDANT  
 REGARDING EX PARTE  
 COMMUNICATIONS AND DIRECTING  
 THE DEFENDANT TO UPDATE HIS  
 ADDRESS**

The Court's Courtroom Administrator received certain email correspondence dated July 8, 2024 and July 9, 2024 from defendant Bill Sunga Modina using email address billmodina@gmail.com. Such email correspondence is improper *ex parte* communication and the defendant is cautioned that such *ex parte* communications are prohibited. Any requests or communications with the Court must be filed, served on all parties, and in compliance with the Federal Rules of Civil Procedure and this Court's Local Rules.

The Court also notes that the pending Report and Recommendation was returned as undeliverable. Pursuant to LR IA 3-1, plaintiffs must immediately file written notification with the court of any change of address. Defendant has not done so here. In addition to updating his address, defendant Modina may also file a motion to be allowed to file electronically.

**IT IS ORDERED** that:

1. Defendant Bill Sunga Modina, d/b/a 5M Financial and 6M Financial is CAUTIONED that requests or communications with the Court must be filed on the public docket and served on all parties. Any future attempts to communicate with the Court via email may lead to sanctions being imposed on the defendant.
2. Defendant SHALL, by **August 9, 2024**, provide an updated address to the Court.

- a. billmodina@gmail.com
- b. 7835 S. Rainbow #4-200, Las Vegas, NV 89139; and
- c. 4467 Romona Falls Ave., Las Vegas, Nevada 89141.

Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Pursuant to LR IA 3-1, plaintiffs must immediately file written notification with the court of any change of address. The notification must include proof of service upon each opposing party's attorney, or upon the opposing party if the party is unrepresented by counsel.

Dated this 9th day of July 2024.

Hon. Maximiliano D. Couvillier III  
United States Magistrate Judge